IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

WP(C).No. 33106 of 2007(N)

PETITIONER:

P.V.SANKARAN, S/O.APPU
VAKELA VALAPPIL, MARUVANCHERI,
KADANCHERY P.O., MALAPPURAM DISTRICT.

BY ADV. SRI.SAJEEV KUMAR K.GOPAL

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
MALAPPURAM.

2. THE TAHSILDAR,
PONNANI.

BY GOVT. PLEADER SRI. I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C). NO. 33106 OF 2007

Dated this the 12th day of November, 2007

J U D G M E N T

Ext.P2 is the seizure mahazar based on which the vehicle belonging to the petitioner was seized on the allegation that the vehicle was involved in the illegal transportation of river sand. Thereafter the matter was referred to the 1st respondent for enquiry under Rule 27 of the Kerala Protection of River Banks and Regulation of Removal of Sand Rules 2002. Accordingly, enquiry was completed and Ext.P3 order was passed with a finding that the vehicle was involved in the unauthorised transportation of river sand. On that basis, Rs.25,000/- has been ordered to be realised from the petitioner towards the value of vehicle and also towards fine. It is challenging Ext.P3 order that this writ petition has been filed.

2. On going through Ext.P3, I notice that in the representation filed by the petitioner, petitioner has confessed that at the time of seizure, the vehicle was carrying river sand. Petitioner has also confessed that it was on account of ignorance that he had committed the mistake of unauthorised transportation. In view of the confession of guilt as above, I do not find anything vitiating Ext.P3.

The writ petition fails and it is dismissed.

ANTONY DOMINIC, JUDGE

vps